



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
	:	
Maximilian ARZBERGER	:	Confirmation No.: 9322
	:	
Serial No. 10/786,458	:	Art Unit: 3671
	:	
Filed: February 26, 2004	:	Examiner: (not yet assigned)
	:	
For: METHOD FOR MAKING A TRENCH	:	Atty Docket: P69487US0
WALL IN THE GROUND, TRENCH	:	
WALL CUTTER AND TRENCH WALL	:	
CUTTING DEVICE	:	
	:	

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on form PTO-1449 is a listing of documents known to Applicants and/or their attorney in compliance with the requirements of 37 CFR 1.56. Copies of the documents are also being submitted. Documents AC, AD, and AE are U.S. patents corresponding to documents DP, BL, and CL, respectively, and are being submitted herewith in place of a translations of documents DP, BL, and CL. Document EL is a U.K. patent corresponding to document DN, and is being submitted herewith in place of a translation of document DN. No translations are provided for documents AL-AP, BM-BP, CM-CP, DM, and DO, as no translations are within the possession,

custody or control of, or are readily available to any individual designated in 37 CFR 1.56(c). See MPEP 609A(2). English language abstracts are submitted with documents AL-AM, AO, AP, BM-BP, CM-CP, DM, and DO in place of translations. English language claims for document AL also are provided.

Since the Information Disclosure Statement is filed before the issuance of the first Office Action on the merits or within three months of filing, no fee is required. The Commissioner is hereby authorized to charge fees under 37 CFR § 1.17 which may be required for consideration of this paper; or credit any overpayment to Deposit Account No. 06-1358.

In accordance with 37 CFR § 1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

Applicants do not waive any rights to appropriate action to establish patentability over the listed documents should they be applied as references against the claims of the present application.

### **RELEVANCE OF THE DOCUMENTS**

Documents AA, AL-AP, BL-BP, and CL were cited in an Official Action issued in connection with the German priority application for the present application.

Document AN relates to a trench wall cutter suspended on cables. The cutting wheels 6, 7 are rotated by hydraulic drives in opposite directions. A sucking tube 1 is provided for sucking off fluid and stripped soil material directly at the cutting wheels. Within the sucking tube 1 there are

provided two hydraulic lines 2 for supplying hydraulic fluid to the hydraulic drives of the cutting wheels 6, 7 and one hydraulic line 3 for the back-flow of the hydraulic fluid.

Documents AB, AC, BP, CM-CO, and DL-DO were cited in the European Search Report for the European patent application corresponding to the present application.

Documents OP, DP, and DP are discussed in the present application at page 1. Document AC is the U.S. equivalent of document DP. It is noted that the publication number given for document DP in the application is incorrect, due to a typographical error. The correct publication number is DE 34 24 999. This typographical error is being corrected by a preliminary amendment submitted herewith.

### **CONCLUSION**

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and to similarly indicate in the official file wrapper of this patent application that the listed documents have been considered.

If the Examiner has any questions or wishes to discuss this application, the Examiner is invited to telephone the undersigned representative at the number set forth below.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: Aug. 12, 2004

**Customer No. 00,136**  
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Washington, D.C. 20004  
(202) 638-6666

By: 

Linda J. Shapiro  
Registration No. 28,264

Form PTO-1449

## Information Disclosure Citation

Attorney Docket  
P69487US0Application No.  
10/786,458

Applicant

Maximilian Arzberger

Filing Date

February 26, 2004

Group Art Unit

3671

## U.S. Patent Documents

Examiner Initial		Patent Number	Date	Name	Class	Sub-Class	Filing Date
	AA	4,930,940	06/05/1990	Charlier et al.			
	AB	5,411,353	05/02/1995	Taki			
	AC	4,694,915	09/22/1987	Bauer et al.			
	AD	3,603,099	09/07/1971	Zakiewicz			
	AE	4,785,559	11/22/1988	Hentschel			
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

## Foreign Patent Documents

		Document Number	Date	Country	Class	Sub-Class	Translation
	AL	DE 41 01 015	07/1992	Germany			Abstract
	AM	DE 42 19 150	09/1993	Germany			Abstract
	AN	DE 1 634 262	09/1970	Germany			No
	AO	DE 88 12 636.6	03/1989	Germany			Abstract
	AP	DE 198 38 513	01/1999	Germany			Abstract

## Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	
	AS	
	AT	

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<b>Form PTO-1449</b>  <b>Information Disclosure Citation</b>	Attorney Docket P69487US0	Application No. 10/786,458
	Applicant Maximilian Arzberger	
	Filing Date February 26, 2004	Group Art Unit 3671

### U.S. Patent Documents

Examiner Initial		Patent Number	Date	Name	Class	Sub-Class	Filing Date
	BA						
	BB						
	BC						
	BD						
	BE						
	BF						
	BG						
	BH						
	BI						
	BJ						
	BK						

### Foreign Patent Documents

		Document Number	Date	Country	Class	Sub-Class	Translation
	BL	DE 1 902 138	08/1969	Germany			Yes
	BM	DE 39 05 463	08/1990	Germany			Abstract
	BN	DE 100 21 549	10/2001	Germany			Abstract
	BO	DE 44 40 691	06/1996	Germany			Abstract
	BP	DE 40 08 207	08/1990	Germany			Abstract

### Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	BR	
	BS	
	BT	

Examiner	Date Considered
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February 26, 2004Group Art Unit  
3671**U.S. Patent Documents**

Examiner Initial		Patent Number	Date	Name	Class	Sub-Class	Filing Date
	CA						
	CB						
	CC						
	CD						
	CE						
	CF						
	CG						
	CH						
	CI						
	CJ						
	CK						

**Foreign Patent Documents**

		Document Number	Date	Country	Class	Sub-Class	Translation
	CL	DE 36 12 020	10/1987	Germany			Yes
	CM	JP 09 273150	10/1997	Japan			Abstract
	CN	JP 08 302670	11/1996	Japan			Abstract
	CO	JP 2000 160592	06/2000	Japan			Abstract
	CP	DE 195 30 827	02/1997	Germany			Abstract

**Other Documents** (Including Author, Title, Date, Pertinent Pages, etc.)

	CR	
	CS	
	CT	

Examiner

Date Considered

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<b>U.S. Patent Documents</b>							
Examiner Initial		Patent Number	Date	Name	Class	Sub-Class	Filing Date
	DA						
	DB						
	DC						
	DD						
	DE						
	DF						
	DG						
	DH						
	DI						
	DJ						
	DK						
<b>Foreign Patent Documents</b>							
		Document Number	Date	Country	Class	Sub-Class	Translation
	DL	WO 86/01439	03/1986	WIPO			n/a
	DM	JP 11 200404	07/1999	Japan			Abstract
	DN	DE 42 07 420	09/1992	Germany			Yes
	DO	DE 41 41 629	06/1993	Germany			Abstract
	DP	DE 34 24 99	01/1986	Germany			Yes
<b>Other Documents</b> (Including Author, Title, Date, Pertinent Pages, etc.)							
	DR						
	DS						
	DT						
Examiner					Date Considered		
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U.S. Patent Documents							
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	EA						
	EB						
	EC						
	ED						
	EE						
	EF						
	EG						
	EH						
	EI						
	EJ						
	EK						

  

Foreign Patent Documents							
		Document Number	Date	Country	Class	Sub-Class	Translation
	EL	GB 2253424	09/1992	U.K.			n/a
	EM						Yes No
	EN						Yes No
	EO						Yes No
	EP						Yes No

  

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)		
	ER	
	ES	
	ET	

  

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